

DATE PREPARED: April 3, 2017
DOCKET: TC-143691, TC-160516
REQUESTER: Shuttle Express, Inc.

WITNESS: Jack Roemer
RESPONDER: Jack Roemer
TELEPHONE: (206) 233-2895

Data Request No. 78:

Regarding Mr. Roemer's testimony beginning at page 54 regarding SpeediShuttle financial statements, does SpeediShuttle have any financial statements that comply or substantially comply with Generally Accepted Accounting Principles ("GAAP")? If so, please produce them for 2015 and 2016.

RESPONSE to Data Request No. 78:

Speedishuttle objects that this request is harassing. Speedishuttle has already produced a financial statement to Shuttle Express covering the time period through September 2016. Speedishuttle and Shuttle Express have already had multiple disputes on this particular issue. By serving yet another request of numerous requests for Speedishuttle's financial data, Shuttle Express is demonstrating that it is more interested in increasing the time and money Speedishuttle must expend in this proceeding than in demonstrating the truth of a relevant issue. No additional financial data from Speedishuttle will assist the Commission in this proceeding. Any further attempts by Shuttle Express to obtain financial data from Speedishuttle should be viewed by the Commission as a blatant attempt to appropriate proprietary business information by Shuttle Express in order to gain a competitive advantage over Speedishuttle. The Administrative Law Judge reminded Shuttle Express on March 28, 2017 during the deposition of Jack Roemer that sustainability is not an issue in this proceeding and the providing a financial statement in the format preferred by Mr. Kajanoff or Shuttle Express and its witnesses does not assist the Commission in determining Speedishuttle's costs.

Subject to and without waiving the foregoing objections, Speedishuttle has produced a substantially GAAP compliant financial statement for the year following its commencement of business in Washington.

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Data Request No. 79:

Regarding Mr. Roemer's testimony beginning at page 54 regarding SpeediShuttle financial statements please produce financial statements that fairly represent SpeediShuttle's financial condition and performance (profits, losses, operations, overhead, etc.) in 2015 and 2016, by month, if available.

RESPONSE to Data Request No. 79:

Speedishuttle objects that this request is harassing. Speedishuttle has already produced a financial statement to Shuttle Express that covers the first year of service and the stub period following that period, May 2016 through September 2016. Speedishuttle and Shuttle Express have already had multiple disputes on this particular issue. By serving yet another request of numerous requests for Speedishuttle's financial data, Shuttle Express is demonstrating that it is more interested in increasing the time and money Speedishuttle must expend in this proceeding than in demonstrating the truth of a relevant issue. No additional financial data from Speedishuttle will assist the Commission in this proceeding. Any further attempts by Shuttle Express to obtain financial data from Speedishuttle should be viewed by the Commission as a blatant attempt to appropriate proprietary business information by Shuttle Express in order to gain a competitive advantage over Speedishuttle.

Speedishuttle incorporates by reference the following objection made by Shuttle Express in response to Speedishuttle Data Request No. 31.

“Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service.”

SPEEDISHUTTLE'S RESPONSES TO SHUTTLE EXPRESS'
THIRD DATA REQUESTS - 47

Williams, Kastner & Gibbs PLLC
Two Union Square, Suite 4100 (98101-2380)
Mail Address: P.O. Box 21926
Seattle, Washington 98111-3926
(206) 628-6600

Finally, Speedishuttle objects that the information requested does not assist the Commission in determining whether Speedishutte's costs exceed its fares.

SPEEDISHUTTLE'S RESPONSES TO SHUTTLE EXPRESS'
THIRD DATA REQUESTS - 48

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